

CALIFORNIA DEPARTMENT OF CORRECTIONS & REHABILITATION

Prison Rape Elimination Act (PREA) Annual Report – Calendar Year 2018

The Federal Prison Rape Elimination Act (PREA) of 2003 was established to address the sexual abuse and sexual harassment of offenders in confinement settings. On August 20, 2012, the PREA Standards Final Rule, to help prevent, detect, and respond to sexual violence, staff sexual misconduct, and sexual harassment behind bars was released, prompting the revision of the California Department of Corrections and Rehabilitation (CDCR) PREA policy.

CDCR's PREA policy establishes zero tolerance for sexual abuse, staff sexual misconduct, and sexual harassment and provides guidelines for the prevention, detection, response, investigation, and tracking of allegations against CDCR offenders. A further purpose of this policy is to provide guidelines for the successful community re-entry of offenders.

CDCR continues to remain diligent in investigating all allegations of sexual abuse, staff sexual misconduct, and sexual harassment against offenders. Staff and offenders are educated on the Department's zero tolerance policy and provided information on the multiple ways to report an allegation, to include third-party reporting.

DEFINITIONS:

Substantiated allegation: an allegation that was investigated and determined to have occurred

Unsubstantiated allegation: an allegation that was investigated and insufficient evidence was obtained to determine if the allegation did or did not occur.

Unfounded allegation: an allegation that was investigated and proven not to have occurred

Ongoing investigation: the investigation was initiated and is continuous.

STATISTICS:

The following are statistics of reported allegations within CDCR adult institutions, by category:

➤ Inmate on Inmate Nonconsensual Sexual Acts

	2014	2015	2016	2017	2018
Substantiated	1	5	4	9	3
Unsubstantiated	103	180	159	192	186
Unfounded	21	32	64	76	54
Ongoing investigation	2	9	44	13	16
Total:	127	226	271	290	259

Inmate on Inmate Nonconsensual Sex Acts is defined as, contact of an offender by another offender without his or her consent, or by coercion, or contact of an offender who is unable to consent or refuse AND contact between the penis and vagina or the penis and anus including penetration, however slight; or contact between the mouth and the penis, vagina, or anus or penetration of the anal or genital opening of another person by the hand, finger, or other object.

In 2017, the number of allegations for Nonconsensual Sex Acts was 290. In 2018, the number of allegations for Inmate on Inmate Nonconsensual Sex Acts was 259, which equates to a decrease of 11 percent.

➤ **Inmate on Inmate Abusive Sexual Contact**

	2014	2015	2016	2017	2018
Substantiated	3	5	5	2	7
Unsubstantiated	42	86	94	106	124
Unfounded	5	12	27	62	35
Ongoing investigation	0	0	8	3	6
Total:	50	103	134	179	172

Inmate on Inmate Abusive Sexual Contact is defined as contact of offender by another offender without his or her consent, or by coercion, or contact of an offender who is unable to consent or refuse AND intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person.

In 2017, the number of allegations for Inmate on Inmate Abusive Sexual Contact was 179. In 2018, the number of allegations for Abusive Sexual Contact was 172, which equates to a decrease of 4 percent.

➤ **Inmate on Inmate Sexual Harassment**

	2014	2015	2016	2017	2018
Substantiated	0	3	6	1	9
Unsubstantiated	3	32	66	86	79
Unfounded	1	4	26	15	30
Ongoing investigation	0	0	5	3	1
Total:	4	39	103	105	119

Inmate on Inmate Sexual Harassment is defined as repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by an offender toward another offender. This definition was added to CDCR's policy in response to its inclusion in the PREA Standards.

In 2017, the number of allegations for Inmate on Inmate Sexual Harassment was 105. In 2018, the number of allegations for Inmate on Inmate Sexual Harassment was 119, which equates to an increase of 13 percent.

➤ **Staff on Inmate Sexual Misconduct**

	2014	2015	2016	2017	2018
Substantiated	3	5	5	11	11
Unsubstantiated	57	126	96	156	132
Unfounded	40	48	82	143	166
Ongoing investigation	1	11	34	26	28
Total:	101	190	217	335	337

Staff on Inmate Sexual Misconduct is defined as threatened, coerced, attempted, or completed sexual contact, assault or battery of an offender by staff. Staff is inclusive of employees, volunteers, and independent contractors assigned to an institution, community correctional facility, conservation camp, parole, or headquarters. CDCR's zero tolerance policy holds all staff accountable when it is proven they have violated the policy. Please remember, the legal concept of "consent" does not exist between staff and offenders; any sexual behavior between them constitutes sexual misconduct and subjects the staff member to disciplinary action and/or to prosecution under the law.

In 2017, the number of allegations for Staff Sexual Misconduct was 335. In 2018, the number of allegations for Abusive Sexual Contact was 337, which equates to an increase of 0.6 percent.

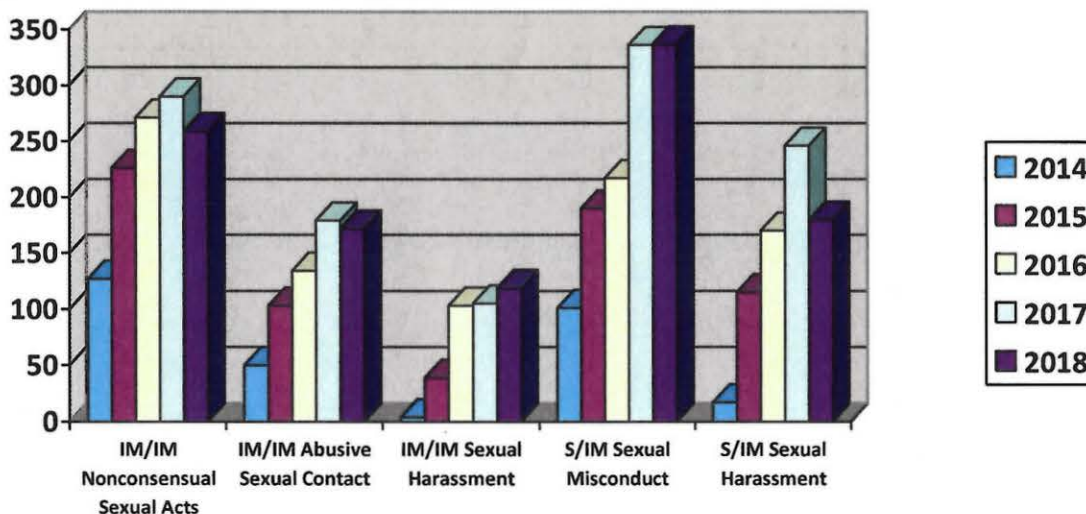
➤ **Staff on Inmate Sexual Harassment**

	2014	2015	2016	2017	2018
Substantiated	0	5	5	3	3
Unsubstantiated	15	84	95	127	90
Unfounded	2	25	59	105	83
Ongoing investigation	0	1	11	11	4
Total:	17	115	170	246	180

Staff on Inmate Sexual Harassment is defined as, repeated verbal comments or gestures of a sexual nature, including demeaning references to gender, sexually suggestive derogatory comments about body or clothing, or obscene language or gestures to an offender by a staff member, contractor, or volunteer.

In 2017, the number of allegations for Staff Sexual Harassment was 246. In 2018, the number of allegations for Abusive Sexual Contact was 180, which equates to a decrease of 27 percent.

Total Number of all PREA Allegations by Year and Type



[IM/IM= Inmate on Inmate; S/IM= Staff on Inmate]

SUMMARY

Although the total number of combined allegations decreased in 2018, allegations of inmate on inmate sexual harassment increased. Inmate on inmate sexual harassment was included in the PREA Federal Standards in 2012 and additional education for both staff and inmates was provided. The additional education included awareness of sexual harassment being a grooming mechanism in the sexual abuse continuum for abusers to identify potential victims. This is believed to have led to the decrease in inmate on inmate nonconsensual sexual acts and inmate on inmate abusive sexual contact. Inmates are reporting earlier in the continuum and are feeling more confident in the investigative process.

Staff on inmate sexual harassment decreased significantly. This is attributed to additional education, awareness, and accountability.

Some of the changes the Department has implemented during the previous calendar year include:

- Continued training of staff who conducts sexual abuse investigations.
- Training on respectful communication with transgender inmates to include the use of their preferred pronouns.
- Training for Medical and Mental Health staff.

Some of the changes each institution has implemented during the previous calendar year include:

Avenal State Prison (ASP)

- Continuing steps to correct structural deficiencies.
- Installed barriers/privacy screens to prevent opposite gender viewing.
- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

California City Correctional Facility (CAC)

- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

California Correctional Center (CCC)

- Installed privacy screens to prevent cross gender viewing.
- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

California Correctional Institution (CCI)

- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

California Health Care Facility (CHCF)

- Added a PREA Sergeant Position.
- Provided training to medical staff in SEMS regarding PREA procedures.
- Privacy screens were placed in various areas to mitigate cross gender viewing.
- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

California Institution for Men (CIM)

- Implemented the use of additional modesty screens in shower areas to prevent cross gender viewing.

- Added barriers to outdoor restrooms to prevent cross gender viewing.
- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

California Institution for Women (CIW)

- Window coverings were removed from staff areas allowing for visibility into office spaces.
- Privacy screens were repaired in housing unit showers.
- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

California Men's Colony (CMC)

- Adjusted all shower curtains to prevent cross gender viewing.
- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

California Medical Facility (CMF)

- Installed video monitoring to the South Corridor.
- Additional training provided to staff regarding PREA procedures.
- Added modesty screens to R-Dorm.
- Modified C and D Dorm modesty screens and installed screens in between every toilet.
- Revised PREA guides to assist staff in processing PREA incidents.
- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

California Rehabilitation Center (CRC)

- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

California State Prison, Corcoran (COR)

- Modesty screen was installed on the outside urinal on Facility A, B, C, 4B and all Small Management Yards, to prevent cross gender viewing.

- Frosted Inmate restroom windows.
- Installed toilet partition on 4B4R yard.
- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

California State Prison, Los Angeles County (LAC)

- Implemented into practice the opposite gender announcement as outlined in DOM 54040.4 Education and Prevention. Staff was provided training on all shifts and will log announcements.
- Additional staff received specialized training in conducting sexual abuse investigations.
- Added a 2 hour Off Post Training to the curriculum on PREA.
- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

California State Prison, Sacramento (SAC)

- Added/fixed locking mechanisms on restrooms.
- Installed mirrors in blind spots.
- Modesty screen provided to areas where unclothed body searches are conducted to mitigate cross gender viewing.
- Cameras were installed throughout the Institution focused on the EOP, Mental Health and PSU areas of A and B Yard, i.e., housing areas, treatment areas, programming areas, etc.
- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

California State Prison, Solano (SOL)

- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

Calipatria State Prison (CAL)

- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond

to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

Centinela State Prison (CEN)

- Provided additional training with Locally Designated Investigators (LDI's) regarding investigation involving another institution.
- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

Central California Women's Facility (CCWF)

- Modesty screens installed on the outside of the Walk Alone Yards in ASU to prevent cross gender viewing.
- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

Chuckawalla Valley State Prison (CVSP)

- Modesty Screens were added to all GP housing units, vocation areas, maintenance areas and restrooms.
- Paint was added to all education area restroom windows to prevent incidental viewing.
- Training was conducted on cross gender announcement requirement.
- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

Correctional Training Facility (CTF)

- Improved modesty screens in inmate restrooms/showers in housing units and recreation yard restrooms.
- Improved modesty screens in Receiving and Release restrooms.
- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

Deuel Vocational Institution (DVI)

- Metal barrier installed above the inmate shower area of East Hall and West Hall to prevent cross gender viewing.
- Modesty screens placed around toilets in the dayrooms of housing units and yards.

- Security mirrors installed throughout the institution to eliminate blind spots.
- Door locks removed from inmate restrooms.
- Custody staff provided additional PREA training as part of preparation for the PREA Audit.
- Correctional Counselors within the Reception Center provided training on conducting PREA reassessments within 30 days of an inmate's arrival to the institution.
- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

Folsom State Prison (FSP)

- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

High Desert State Prison (HDSP)

- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

Ironwood State Prison (ISP)

- Modesty screens installed on the outside urinal on all facilities to prevent cross gender viewing.
- Modesty screens added or repaired in housing unit showers.
- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

Kern Valley State Prison (KVSP)

- Modesty screen installed on the outside urinal on all facilities to prevent cross gender viewing.
- Urinals in all dayrooms for Facilities A, B, C and D were removed.
- Modifications to all shower doors for Facilities A, B, C and D completed to prevent cross gender viewing.
- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

Mule Creek State Prison (MCSP)

- A total of 24 convex mirrors were added to the Level II Facility D/E vocation areas.
- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

North Kern State Prison (NKSP)

- Modesty screens were provided to prevent cross gender viewing.
- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

Pelican Bay State Prison (PBSP)

- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

Pleasant Valley State Prison (PVSP)

- Additional modesty screens were completed for housing unit lower tier showers, STRH SMY toilet areas, Receiving and Releasing Holding Cells and MSF Shower/Restroom areas.
- Mirrors were removed from the Gymnasium shower/toilet areas.
- Training provided to all custody staff regarding DOM 540040.4, Education and Prevention.
- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

Richard J. Donovan Correctional Facility (RJD)

- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

Salinas Valley State Prison (SVSP)

- Frosting of bathroom windows to prevent opposite gender viewing.
- Added privacy barriers in housing units, dayroom urinals.
- Added outside building stenciling on opposite gender announcement.
- Added barriers on shower cell doors in housing units.
- Stenciling of PREA notification above inmate telephones in housing units, CTC, PIP, ASU and STRH.
- Documented training to all Staff within SVSP regarding PREA.
- Insured Transgender inmates had clothing matching their gender identity available in facility laundry rooms.
- PREA documents for new arrivals in Receiving and Release included in bedrolls. (Spanish and English)
- 24 hour PREA Video added to Inmate Television channel.
- PREA notification of audit notices posted throughout SVSP prior to audit.
- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

San Quentin State Prison (SQ)

- Made modifications to all inmate restrooms to prevent cross gender viewing.
- Modesty screens placed in shower areas to prevent cross gender viewing.
- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

Sierra Conservation Center (SCC)

- Installed modesty barriers on exercise yard toilets and dorm toilets to prevent opposite gender viewing.
- Provided additional training to all staff who work in Intake and to counseling staff.
- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

Substance Abuse Treatment Facility and State Prison (SATF)

- Additional barriers provided for inmate restrooms to prevent cross gender viewing.
- Shower curtains constructed to limit cross gender viewing, shoulder height to accommodate transgender inmates.
- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond

to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

Valley State Prison (VSP)

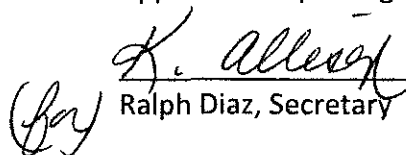
- Audio/Video Surveillance System (AVSS) was installed in all housing units.
- Privacy paint applied to windows of inmate bathrooms to prevent cross gender viewing.
- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

Wasco State Prison (WSP)

- Provided 2 hour mandatory training on Prison Rape Elimination Act (PREA) to all staff. The training refreshed staff in understanding how to prevent, detect, evaluate, respond to, and investigate complaints, threats, or signs of sexual violence, staff sexual misconduct, and sexual harassment against offenders.

CDCR continues to progress in addressing sexual abuse by continually monitoring all allegations of sexual abuse, staff sexual misconduct, and sexual harassment. Each allegation is investigated by trained investigators and reviewed by the institution's hiring authority. If any issues or trends are identified, they are addressed immediately. This may include modifications to existing policy, procedures, education, or training. Additionally, this could take into consideration physical plant limitations and the need for video monitoring equipment.

Approved for posting



Ralph Diaz, Secretary

7/23/19

Date